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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,818	12/31/2001	Joyce Brett	P-3206-15	7824

7590 05/03/2005

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114 Old Country Road
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Mineola, NY 11501

EXAMINER

MITCHELL, KATHERINE W

ART UNIT PAPER NUMBER

3677

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/029,818

EXAMINER

ART UNIT	PAPER
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3677

20050426

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

10/029818 - clarification of examiner's statements in response to Reply Brief filed 4/22/05

Katherine W Mitchell
Examiner
Art Unit: 3677

SUPPLEMENTAL ACTION

1. In response to the reply brief filed 4/22/2005, appellant challenges examiner's contention, and then puts quotation marks around examiner's supposed words. The quoted phrase was never stated by examiner and thus cannot be quoted as such.

2. Examiner's position remains:

"Appellant clarified in his Appeal Brief that the first adhesive deposit is that deposit applied by the 'manufacture (sic) of the article of manufacture (i.e., Johnson & Johnson) of the bandage' and the second adhesive is deposited 'by the applicant [now appellant] in preparation of arranging for a jewelry display using the bandage'.

Appellant has claimed a method for arranging for a jewelry display on an existing adhesive bandage, and thus cannot include a step of 'applying a first adhesive deposit on said laterally extending strips' of the existing adhesive bandage, as this is an existing property of the adhesive bandage and not a step of the claimed method. ...

Appellant did not disclose that the adhesive was applied on the strips, nor could appellant have any control of that step, as that is done by the adhesive bandage manufacturer. The adhesive surface could be applied (by the bandage manufacturer, not the appellant) as the laterally extending strips are formed, or the laterally extending strips could have a basic adhesive property and not need adhesive to be applied."

3. Appellant's claim wording explicitly states the step of:

"...applying a first adhesive deposit on said laterally extending strips..."

4. Examiner maintains that appellant cannot claim this step, as it was never originally disclosed and it is not performed as part of the method of arranging for a

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jewelry display to be worn on a person – it is a step in the manufacture of the adhesive bandage being used.

5. The rejection under 35 U.S.C. § 112, first paragraph is MAINTAINED.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 571-272-7069. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kwm
4/26/2005

Katherine W Mitchell
Examiner
Art Unit 3677

